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5 UNITED STATES DISTRICT COURT
6 EASTERN DISTRICT OF WASHINGTON
7

8 UNITED STATES OF AMERICA,
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10 Plaintiff,

11 v.
12

13 WILLIAM OLDHAM MIZE, IV,
14 Defendant.

15 CASE NOS: 2:18-CR-0232-TOR-1
16 2:19-CR-0021-TOR
17 2:20-CR-0144-TOR
18 2:20-CR-0145-TOR

19 ORDER GRANTING IN PART
20 MOTIONS TO CONTINUE
21 PRETRIAL AND TRIAL DATES

22 BEFORE THE COURT are Defendant's Motions to Continue Pretrial and

23 Jury Trial Date. ECF Nos. 1034, 52, 23, 23. The motions were noted for hearing
24 without oral argument. Having reviewed the dockets and the files therein, the
25 Court is fully informed.

26 Defendant is scheduled to appear before the Court on June 20, 2024,
27 for a pretrial conference and a jury trial is scheduled to begin on July 8, 2024. He
28 now moves, through counsel and unopposed by the government, for a 4-5 month
29 continuance of those dates as well as the pretrial filing deadline. In support of his
30 request, counsel explains that Defendant is charged with a total of 106 counts in

31 ORDER GRANTING IN PART MOTION TO CONTINUE PRETRIAL AND
32 TRIAL DATES ~ 1

1 four separate Indictments and the discovery, which was provided on a 2TB
2 external hard drive on February 7, 2024, is voluminous. Therefore, additional time
3 is needed to review the discovery, develop any pretrial motions, and prepare a
4 defense. Defendant has waived his Speedy Trial rights through December 31,
5 2024. ECF Nos. 1041, 53, 24, 24. The Court finds that the Defendant requires
6 additional time to investigate and prepare for trial, taking into account the exercise
7 of due diligence, and that his interests would not be adequately represented without
8 a continuance. Accordingly, the motion is granted in part. The Court declines to
9 set the trial date out so far into the future, but will grant a 90-day continuance.

10 IT IS HEREBY ORDERED:

11 1. The Motion to Continue Pretrial and Trial Dates (ECF Nos. 1040, 52,
12 23, 23) is **GRANTED in part**.

13 2. The pretrial conference scheduled for June 20, 2024, is vacated and
14 continued to **September 25, 2024, at 10:00 a.m.**, in Spokane Courtroom 902. All
15 pre-trial motions, including motions *in limine* and *Daubert* motions, shall be filed
16 and served on or before **August 28, 2024**, and noted for hearing at the pretrial
17 conference. Any response to a pre-trial motion shall be filed and served in
18 accordance with Local Rule 7. If the Court determines an evidentiary hearing is
19 appropriate, the Court will notify the parties of the date and time for such hearing.

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ORDER GRANTING IN PART MOTION TO CONTINUE PRETRIAL AND
TRIAL DATES ~ 2

1 3. The jury trial currently scheduled for July 8, 2024, is vacated and
2 continued to **October 7, 2024, at 8:30 a.m.**, in Spokane Courtroom 902. Counsel
3 shall appear in court at 8:30 a.m. on the first day of trial to address any pending
4 pretrial issues. Jury selection will begin promptly at 9:00 a.m. Trial briefs,
5 proposed voir dire, jury instructions, verdict forms, exhibit lists, and expert witness
6 lists shall be filed and served by all parties on or before **seven (7) calendar days**
7 prior to trial.

8 4. Pursuant to 18 U.S.C. § 3161(h)(7)(A), the time between June 13,
9 2024, until October 7, 2024, is DECLARED EXCLUDABLE for purposes of
10 computing time under the Speedy Trial Act. The Court finds that the ends of
11 justice served by such a continuance outweigh the interests of the public and
12 Defendant in a speedy trial.

13 5. Counsel for the defense shall notify the Defendant and ensure his
14 attendance at every scheduled hearing and trial.

15 IT IS SO ORDERED. The District Court Executive is directed to enter this
16 order and provide copies to counsel, the United States Probation Office, and the
17 United States Marshal's Service.

18 | DATED June 14, 2024.



Thomas O. Rice
THOMAS O. RICE
United States District Judge

ORDER GRANTING IN PART MOTION TO CONTINUE PRETRIAL AND TRIAL DATES ~ 3